

DEAV2001/0073 US NP

REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116

**REMARKS**

Upon entry of the foregoing amendments, claims 1, 3 to 16, 18 to 20, and 23 will be pending in this patent application. Claims 2, 17, 21, and 22 have been canceled. Claims 1 and 11 have been amended to cancel non-elected subject matter. Applicants reserve the right to pursue the non-elected subject matter in a later-filed divisional patent application. Claims 12 to 16, 19, 20, and 23 have been amended, in part, to overcome objections set forth in paragraphs 4, 5, and 6 of the Action.

**Discussion of the Rejection Under 35 U.S.C. § 112, First Paragraph**

Claims 11 and 21 to 22 have been rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter that was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. Although Applicants respectfully disagree with the stated rejections, Applicants submit that, in view of the foregoing amendments, this rejection is now moot.

**Discussion of the Rejection Under 35 U.S.C. § 112, Second Paragraph**

Claims 2, 9 to 12, and 23 have been rejected under 35 U.S.C. § 112, second paragraph, for allegedly failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. Although Applicants respectfully disagree with the stated rejections, Applicants submit that, in view of the foregoing amendments, this rejection is now moot.

DEAV2001/0073 US NP

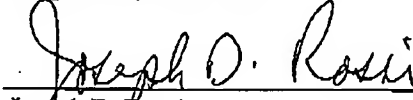
REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116

Conclusion

The foregoing is submitted as a full and complete response to the Action mailed on August 26, 2004, and the allowance of all claims is respectfully requested. If there are any issue that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (908) 231-3410.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,

  
Joseph D. Rossi  
Registration No. 47,038  
Attorney for Applicants

Dated: November 16, 2004

Aventis Pharmaceuticals Inc.  
Patent Department  
Route #202-206 / P.O. Box 6800  
Bridgewater, New Jersey 08807-0800  
Telephone: 908-231-3410  
Telefax: 908-231-2626